

July 2021

St. Patrick, Lawgiver

John P. O'Hara

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

Recommended Citation

John P. O'Hara, St. Patrick, Lawgiver, 23 Dicta 187 (1946).

This Article is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.

"Well, I have my doubts, but we'll see how it goes. Who do you wish called as the first witness?"

The fellow named the man he was suing. The accused took the stand and was sworn. The complainant rushed up to the witness box and shook his fist under the nose of the supposed Don Juan.

"Where were you last Thursday afternoon at four o'clock?"

"You're a damn dirty liar!" yelled back the witness.

"Here, here!" protested Hosmer, "I didn't think it would work."

Lawyers Are Necessary

So, you see, I agree that lawyers are necessary. So are plumbers and truck drivers and newspaper editors. We all like to believe that we are doing big and vital tasks in this world. If we didn't we wouldn't amount to much.

There are moods when all of us rise to the heights and sink to the depths. All the frailties and faults of all other professions and other walks of life are to be found among lawyers. And yet, in looking back through the golden years of friendship with many fine legal minds and great jurists who have passed on to the Greater Court, I can sense that they possessed in their very souls the essence of the law laid down by Sidney Smith;

"Truth is the handmaiden of justice, freedom is its child, peace is its companion, safety walks in its steps, victory follows in its train; it is the brightest emanation from the gospel; it is the attribute of God."

St. Patrick, Lawgiver†

By JOHN P. O'HARA *

Two citizens, plainly embarged on a holiday, excitedly argued on a street corner. It was the 17th of March. First citizen was loudly shouting, "I knews a man in Ireland who could jump 27 feet." The second heatedly replied, "There never was a man in Ireland or any other place who could jump 27 feet." The first repeated his assertion, the other denied it vehemently. The exchange continued in identical vein for several more rounds. Then second citizen still beligerently unconvinced, demanded, "Very well, if there was such a man, what was his name?" First citizen with a catlike smirk, replied, "He was your father." Whereupon the other expanded his chest, broke out a big smile and exclaimed, "Oh sure, he could do that."

Even though this article is concerned with St. Patrick and his association with law, the foregoing preface should be permissible. Observance of the day is generally regarded as a celebration, but oddly enough it commemorates the

† Reprinted by permission from The Detroit Lawyer, March, 1946.

* Of the Detroit Bar.

death of the noted Saint. This is no more surprising than the number of countries that claim him as their own, and not without some right.

History says Patrick was not Irish. In the year 387 he was born near Dumbarton in what is now Scotland. So the claim of the Scots to the Saint has substantial basis. Neither was he a Scotsman however. His parents were Calphurnius and Conchessa, the former a Roman of high rank, and a *decurio* of the Empire in Gaul. His mother apparently was a Gaul of distinction. So the efforts of Italy and France to claim the Saint may have some merit.

At 16, Patrick was kidnapped by a lawless Irish band and sold as a slave to an Irish chieftain. For six years he performed the menial work of a human chattel. Then he escaped to Britain. Christianity was fast spreading over Europe. It inspired Patrick and filled him with a burning desire to carry the truth of revelation to the pagan world, Ireland particularly. He entered the priesthood, spent several years as a missionary in Gaul, then was sent to Britain.

After years of study and tireless labor, he was consecrated a Bishop about 433 and ordered to proceed to Scotia, charged with the weighty mission of bringing Christianity to the pagan peoples whose religion was the mystic beliefs and worship of the Druids.

Another of those paradoxes that seemingly fill the life of the Saint is that Ireland, sometimes Erin and now Eire was then Scotia, the home of the Scots. Yes, Scotland came by its name because a colony from Scotia emigrated to the north, called their new home Scotia, whence came Scotland we know today.

The spiritual conquests of St. Patrick are almost unbelievable. Knowledge of the language and the land acquired when in bondage, gave him valuable advantages. The Druids fought fiercely to keep their superstition founded hold on the people. The Christian Crusade brought one chieftain after another to the philosophy of Christ. Their peoples followed by thousands.

To the student of law, Patrick's part in christianizing Scotia's jurisprudence is keenly interesting. Prior to his advent the Brehon code of the Celts had attained development which amazes legal historians today. Brehon law was the evolutionary consequence of experience, tradition, trial and error. To quote Sir Henry Maine, the able English jurist, it is "a very remarkable body of archaic law, unusually pure from its origin."

Four times in its history, before British invaders forcibly supplanted it with the laws of England, Brehon law was amended by legislative assembly. In the second of these St. Patrick's influence and thoughts were written into the code. Possessing an intimate knowledge of Greek and Roman law, he was well qualified for the task. The changes effected aligned the code with the principles of Christ he taught.

Much has been written in Gaelic of this early body of laws and its

growth. Volumes have been translated, but in the library of Trinity College, Dublin, the Royal Irish Academy and the Bodleian Library at Oxford valuable original documents exist which no modern student has yet deciphered. Many who have penetrated the principles of the Brehon Code and the wise revisions due to Patrick have ranked him with famous early lawgivers of Greece and Rome.

Historians may differ on the point, but it is generally accepted that St. Patrick lived over one hundred years. History holds records of many remarkable crusades for Christianity, and the infusion of its teachings into legal principles, but few equal that of St. Patrick. He in fact lived nearly two lives. He was tireless, courageous, uncompromising, yet most humble, and lived by self-imposed privations, that won the respect and loyalty of his people. His clothing was coarse and uncomfortable, his bed usually hard rock. He preached the simple doctrines he so faithfully practiced himself. His fame today, nearly 15 centuries after his death in 493, never wanes.

He established institutions of learning, which attracted students and scholars from Britain, Gaul and Spain. He wrote extensively in Latin. His works, poetic and prose, contain thought, style and fluency that captivate reader interest in this, which we consider, such an enlightened age. Recall too, his time was about 1,100 years before Shakespeare's day.

Nearly everyone knows when St. Patrick's Day is here. Few know or seek the historical facts of his life, or his genius in a juridical sense, some of which are here related. While Patrick is considered a typical Irish name, again the origin must be credited elsewhere. When Pope Celestine I. at Rome commissioned the missionary to labor in Scotia, he called him Patercius or Patritius, meaning *Pater Civium*, father of his people.

St. Patrick has been dead nearly fifteen centuries. Many peoples insist he is their own. It's rather late, but the legal order may yet join the procession and not without ancient precedents of substantial probative value.

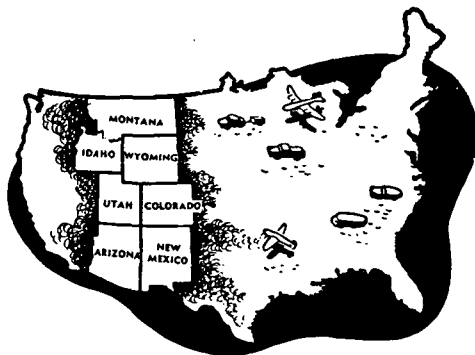
Calendar

October 7. Denver Bar Association, first fall meeting.

October 18 and 19. Colorado Bar Association annual meeting, Broadmoor Hotel, Colorado Springs. Hon. Tom Clark, Attorney General of the United States, principal speaker.

October 28 to November 1. American Bar Association, annual meeting, Atlantic City, New Jersey.

AMERICA IS COMING WEST



Travelers, whose desire for the wide open spaces has been held in check for four wartime summers, are on the move again this season.

These same travelers have, in the last five years, developed the "long distance habit" more than ever before, and long distance lines are being taxed to the utmost. Therefore, some calls, particularly those to and from resort centers, may encounter delays, but everything possible is being done to handle all calls speedily.

The Mountain States Telephone and Telegraph Co.

<p>—————→</p>	<p>"Monte" "Mal"</p> <p>CARROL AND MYER</p> <p><i>Realtors</i></p>	<p>←—————</p>
<p>509 Security Life Bldg. Phone CHerry 4436</p>	<p>Denver, Colorado</p>	<p>1141 East Alameda Phone PEarl 2453</p>

<h2 style="margin: 0;">THE DENVER LEADER</h2>		
<p>A Legal Paper for Legal Notices</p> <p>1830 Curtis Street</p>	<p>GEORGE F. MANGINI Owner and Publisher</p> <p>Let the Denver Leader Print Your Legal Notices</p>	<p>Accurate, Reliable, Dependable</p> <p>Phone KEystone 4257</p>

Dicta Advertisers Merit Your Patronage